THE MADRAS LEGISLATIVE ASSEMBLY.

Saturday, 26th December 1953.

The House met in the Assembly Chamber, Government Estate, Mount Road, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Amendment of the Constitution.

* 248-A *Q.*—SRI N. K. PALANISWAMI : Will the Hon. the Chief Minister be pleased to state—

(*a*) whether the Government have received any proposal from the Government of India for the amendment of the Constitution; and

(*b*) if so, what are the provisions for which suggestions for amendment have been made and what is the opinion expressed by this Government?

THE HON. SRI C. RAJAGOPALACHARI :—" (*a*) & (*b*) Communications from the Government of India or issued to the Government of India cannot be made public either in the actual form in which they were issued or in the form of an abstract without the sanction of the Government of India. In this particular case, a demi-official communication was received by the Chief Minister from the Home Ministry of the Government of India and a reply was sent. I am sorry the contents of the communications must be treated as confidential."

SRI N. K. PALANISWAMI :—" இந்தியப் பாதுகாப்பு சட்டம் நீடிக்கப்பட வேண்டுமென்ற ஆலோசனை மத்திய சர்க்காரிடமிருந்து கேட்கப் பட்டதா ? மேலும் ஒரு வருஷம் நீடிக்க வேண்டுமென்று இந்த சர்க்கார் மத்திய சர்க்காருக்கு ஆலோசனை கூறிற்று ? "

MR. SPEAKER :—" As the reply has been given in English, the hon. Member is not able to follow it. Probably he wants the answer in Tamil."

THE HON. SRI C. RAJAGOPALACHARI :—" I think the question is about the amendment of the Constitution of India. The supplementary question is included in the original question and my answer also includes it."

MR. SPEAKER :—" Probably, he wants the reply in Tamil."

THE HON. SRI C. RAJAGOPALACHARI :—" I think the hon. Member wants to know whether there was anything about the Preventive Detention Act and whether any consultation was made in that connection. I must inform the hon. Member that the question now before the House is about Constitutional amendments."

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SRI N. K. PALANISWAMI :—" இந்தியப் பாதுகாப்புச் சட்டம் மேலும் ஒரு வருஷ காலம் நீடிக்கவேண்டுமென்று இந்த ராஜ்ய சர்க்கார் மத்திய சர்க்காரைக் கேட்டதா ? "

MR. SPEAKER :—" இது காண்ஸ்டிட்யூஷனைத் திருத்தியமைப்பதைப் பற்றிய கேள்வி. நீங்கள் கேட்ட சப்ளிமெண்டரி கேள்வி வேறு. அதனால் தனிக் கேள்வி கேட்டுக்கொள்ளுங்கள்."

SRI K. VINAYAKAM :—" As the Constitution of India is meant for the benefit of the people and as the amendment to the Constitution is also meant for the benefit of the people, may I know what the idea is in saying that it is not in public interests to let the House know whether any representation was made to the Government of India by the Madras Government or whether any communication was received by the Madras Government from the Government of India? "

THE HON. SRI C. RAJAGOPALACHARI :—" The supplementary question has been put under a misconception of the position. I have said that a communication was received. There is no question of suppressing that fact. The question is about giving out the contents of such a communication. When any communication is exchanged in respect of [administration of Acts or other things, up to a certain point, discussion as to the] administrative difficulties it has to be considered as confidential, unless we get permission for publication."

DR. K. B. MENON :—" Sir, we are not interested in knowing the contents of the communication. May I know whether the Government, before making their recommendations to the Government of India, will give us an opportunity to discuss the matter and make our suggestions? "

THE HON. SRI C. RAJAGOPALACHARI :—" The hon. Member is aware of the procedure and the difficulties connected with it. When an Act has to be passed in Parliament with the prescribed minimum number of votes for amending the Constitution, the whole matter has to be thoroughly discussed in Parliament. If we prescribe a procedure for ourselves by which even this Assembly goes through the amendment to the Constitution, the actual position will become far too complicated."

SRI V. R. NAGARAJAN :—" Hon. Chief Minister . . ."

MR. SPEAKER :—" Let the hon. Member address the Chair and not the Hon. Chief Minister."

SRI V. R. NAGARAJAN :—" I am sorry, Sir, I addressed the Hon. Chief Minister by mistake. The Hon. the Chief Minister said that a communication was received from the Government of India. May we know how many amendments or proposals were dealt with in that communication and when the communication was received? I think there will be nothing wrong in giving this information."

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THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I can give the date if I look up into the file. But how does the date matter? I think I need not open the file, look up for the date and thus waste the time of the House. The date is not important."

SRI V. R. NAGARAJAN :—" May we know the date on which it was received? "

THE HON. SRI C. RAJAGOPALACHARI :—" Very recently, Sir."

SRI S. DEIVASIGAMANY :—" May I know whether a Committee will be appointed to go into this question? "

THE HON. SRI C. RAJAGOPALACHARI :—" The Government of India are making a very preliminary enquiry. When they have a proposal, they will communicate it to us and very probably they will give us an opportunity even to discuss it. Just now, it is only a very preliminary enquiry."

SRI S. RAMALINGAM :—" மத்திய சர்க்கார் சென்னை ராஜ்ய சர்க்காரை ஏதாவது ஆலோசனை கேட்டார்களா? அப்படியானால் மத்திய சர்க்காருக்குக் கொடுத்த ஆலோசனைகளை சர்க்கார் சபை முன்பு வைப்பார்களா ? "

THE HON. SRI C. RAJAGOPALACHARI :—" With the consent of the Government of India, every communication sent by us can be put before the House."

SRI S. C. C. ANTHONY PILLAI :—" May I know whether the Government will consult this House before giving a final reply? "

THE HON. SRI C. RAJAGOPALACHARI :—" If A asks B to give his comment on a particular matter, it is not for B to say, ' I will consult the House or anybody '. We must help one another."

SRI V. R. KRISHNA AYYAR :—" In view of the anxiety already expressed by the hon. Members of the House, may I know whether the Government of Madras will seek the permission of the Central Government to release the information to the House? "

THE HON. SRI C. RAJAGOPALACHARI :—" There is no ground for anxiety. The Government of India wanted to know the opinion of this Government on various matters relating to the amendment of the Constitution. They may not take up these matters at all till they receive the opinion of 25 Governments or so. When something takes a concrete shape and when there is an apprehension of any important changes coming about, this Government will take the problem and put it before the House for their examination. That is the constitutional position. It is only a very preliminary enquiry now as I said. That is the difficulty, Sir."

SRI R. S. ARUMUGAM :—" இந்திய அரசியல் சட்டத்திருத்தம் குறித்து ஆலோசனையின் நிமித்தம் இந்த சபையில் விவாதிக்க ஒருநாள் ஒதுக்குவாரா ? "

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MR. SPEAKER :—" இதுபற்றி ஏற்கனவே தெளிவு செய்யப்பட்டிருக்கிறது. கனம் மந்திரியார் ஆங்கிலத்தில் பதில் சொல்லி இருக்கிறார்."

SRI T. C. NARAYANAN NAMBIAR :—" As elementary school teachers are not able to contest the elections in the Teachers' Constituency according to the provisions of the Constitution at present and as several representations made to the Government were in vain, will the Hon. Chief Minister be pleased to state whether a recommendation will be made to the Central Government on behalf of these teachers so that they may not be denied their right? '

THE HON. SRI C. RAJAGOPALACHARI :—" The question is about the amendment of the Constitution."

SRI K. T. KOSALRAM :—" இந்த சட்டசபையில் நிறைவேற்றப்பட்ட சில சட்டங்களுக்கும், கான்ஸ்டிட்யூஷனிலிருக்கிற சில ஷரத்துக்களுக்கும் சில மாறுபாடுகள் இருப்பதனால் ஹைகோர்ட்டில் நம் சட்டங்கள் செல்லுபடி
11-10 a.m. ஆகாது என்று கனம் முதல் மந்திரி அவர்கள் சொன்னார்கள். மடாலயங்களை நம்முடைய சட்ட நிர்வாகத்துக்குள் கொண்டுவருவது கான்ஸ்டிட்யூஷன் பிரகாரம் செய்ய முடியாதிருப்பதால், இந்த சட்டசபையில் இருப்பவர்களும், பொதுமக்களும் அது அவசியம் என்று சொன்னால் இதற்காக ஒரு கமிட்டி ஏற்படுத்தி அதன் ஆலோசனைக்குப் பிறகு மத்திய சர்க்காருக்கு சிபாரிசு செய்வாரா ?"

MR. SPEAKER :—" இதை ரெக்கம்மண்ட் பண்ணிவிட்டதென்று ஏற்கெனவே தெளிவு செய்யப்பட்டுவிட்டது. கனம் மந்திரியார் அவர்களும் பதில் சொல்லி இருக்கிறார்கள்."

Unemployment problem.

* 248-B Q.—SRI K. P. GOPALAN : Will the Hon. the Chief Minister be pleased to state the amount of money allotted to the Madras State by the Central Government from the sum of Rs. 175 crores which they have set apart as an additional sum in the Five-Year Plan to reduce unemployment?

THE HON. SRI C. RAJAGOPALACHARI :—" The Government of India have not yet allotted any specific amount to this State from the sum provided for the enlargement of the Five-Year Plan in order to tackle the problem of unemployment. But in respect of certain schemes, such as the Vaigai and the Amaravathi Projects and the Mettur Canal, they have already sanctioned a loan of Rs. 6·2 crores and in respect of certain other schemes, such as Road Works, they have called for detailed proposals with a view to provide financial assistance from out of the above provision."

SRI K. P. GOPALAN :—" In view of the fact that there is acute unemployment in the State, will the Hon. the Chief Minister be pleased to contact the Central Government regarding allotment of a decent sum from the fund to this State?"

THE HON. SRI C. RAJAGOPALACHARI :—" Yes, Sir. We are in continual begging contacts."